

DATE

Jared Gibbs
8513 Morganza Highway
Morganza, Louisiana 70759

Re: **Louisiana Board of Ethics**
Docket No. 2021-223

Dear Mr. Gibbs,

The Louisiana Board of Ethics, at its meeting on June 4, 2021, considered your request for an advisory opinion as to whether the Code of Governmental Ethics (“Code”) would restrict your participation in matters involving the Louisiana Public Schools Risk Management Agency.

FACTS PROVIDED

Any two or more local governmental subdivisions may make and execute an intergovernmental agreement between or among themselves to form and become members of an interlocal risk management agency. La. R.S. 33:1343A. An “interlocal risk management agency” is an association formed by two or more local governmental subdivisions by an intergovernmental agreement for the development and administration of an interlocal risk management program and one or more group self-insurance funds. La. R.S. 33:1342(4). The Louisiana Public Schools Risk Management Agency (“LARMA”) is an interlocal risk management agency which allows public school systems to pool their financial and administrative resources to provide its member agencies participation in group self-insurance funds. LARMA is governed by a Board of Trustees, whose members are elected from representatives of the individual school systems. LARMA Board of Trustee members are not compensated for their service to LARMA.

You are currently employed by West Baton Rouge Parish School Board as the Supervisor of Business Services. In connection with your employment, you serve as a representative for the West Baton Rouge Parish School Board on the LARMA Board of Trustees. You receive no compensation for your service on LARMA Board of Trustees.

You live in Pointe Coupee Parish and intend to become a candidate for the Pointe Coupee Parish School Board District B seat in November 2022. In the event you are elected, you ask whether the Code will restrict your participation in matters involving LARMA.

LAW

La. R.S. 42:1112B: No public servant, except as provided in R.S. 42:1120, shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any of the following persons has a substantial economic interest: (3) Any person of which he is an officer, director, trustee, partner, or employee.

La. R.S. 42:1102(16) defines "Person" to mean an individual or legal entity other than a governmental entity, or an agency thereof.

CONCLUSION

The Board concluded, and instructed me to inform you, that Section 1112 would not prohibit your participation in matters involving LARMA if you are elected as a member of the Pointe Coupee Parish School Board, since LARMA is not a person for purposes of the Code.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. Please note that the Board issues no opinion as to past conduct and that the Board's expressed opinion is limited to an examination of the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Acts, and the conflict of interest provisions in the gaming laws.

If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

David M. Bordelon
For the Board